

Although the Complaint does not expressly reference the statute, the plaintiff's claims can be construed as claims brought under 42 U.S.C. § 1983 for violation of his constitutional rights. Section 1983 permits an aggrieved party to file a civil action against a person for actions taken under color of state law that violated his constitutional rights. *Cooper v. Sheehan*, 735 F.3d 153, 158 (4th Cir. 2013).

The plaintiff seeks to proceed in forma pauperis, even though he indicates he has enough cash on hand to pay the filing fees. Grizzle claims that it would pose a hardship to him to pay such fees, and under the circumstances I will grant his Motion for Leave to Proceed in Forma Pauperis. Nevertheless, I must dismiss his Complaint.

Even if I were to accept the plaintiff's claim as sufficiently supported by his conclusory allegations, the defendants are immune from suit for money damages under the Eleventh Amendment to the Constitution. *Scott v. Wise Cty. Dep't of Soc. Servs.*, No. 2:17CV00006, 2017 WL 3476976, at *2 (W.D. Va. Aug. 11, 2017); *Kincaid v. Anderson*, No. 1:14CV00027, 2015 WL 3546066, at *3 (W.D. Va. June 8, 2015).

A separate final order will be entered.

DATED: April 1, 2020

/s/ JAMES P. JONES

United States District Judge